

LYNCHBURG CITY COUNCIL  
Agenda Item Summary

MEETING DATE: **June 13, 2006**

AGENDA ITEM NO.: 6

CONSENT:

REGULAR: **X**

CLOSED SESSION:  
(Confidential)

ACTION: **X**

INFORMATION:

**ITEM TITLE: REZONING: DSZ Properties, LC, 2009 Lakeside Drive from R-2, Low-Medium Density, Single-Family Residential to R-4, Medium-High Density, Multi-Family Residential (Conditional).**

RECOMMENDATION: Approval of the requested rezoning petition.

SUMMARY: DSZ, Properties, LC is petitioning to rezone approximately 3.87 acres at 2009 Lakeside Drive from R-2, Low-Medium Density, Single-Family Residential District to R-4, Medium-High Density, Multi-Family Residential District (Conditional) to allow the construction of thirty-six (36) townhouse units. The Planning Commission recommended approval of the rezoning because:

- Petition agrees with the Comprehensive Plan which recommends a Medium Density Residential land use in this area.
- Petition agrees with the Zoning Ordinance in that townhouses are a permitted use in an R-4, Medium-High Density Multi-Family Residential District.
- Petition proposes the construction of a thirty-six (36) unity townhouse complex with associated parking.

PRIOR ACTION(S):

March 10, 2006: Planning Division recommended approval of the rezoning. Planning Commission recommended approval (4-0, with 1 abstention, Flint and 2 absent, Oglesby, Bacon) with the following voluntarily submitted proffers:

1. The subject property shall be developed as townhouses as shown on the rezoning plan, received by the Planning Division on April 28, 2006.
2. A vegetative evergreen buffer and chain link fence between the development and the adjacent Lynchburg College property shall be provided.
3. We will use the sewer line route shown on the rezoning plan, received by the Planning Division on April 28, 2006.
4. We will use bio-filters for water quality if sufficient room exists on the site for their installation; otherwise, stormwater quality will be addressed through a combination of above ground best management practices and mechanical stormwater filters subject to the approval of the City's Environmental Planner.
5. The developer agrees to abide by the proposed Landscaping Ordinance for its current structure.

FISCAL IMPACT: N/A

CONTACT(S):  
Tom Martin/ 455-3909

ATTACHMENT(S):

- Ordinance
- PC Report
- PC Minutes
- Vicinity Zoning Pattern
- Vicinity Proposed Land Use
- Site Plan

- Project Narrative and Photo
- Proffers
- Letter from Lynchburg College
- Speaker Sign-Up sheet

REVIEWED BY: lkp

## ORDINANCE

AN ORDINANCE CHANGING 2009 LAKESIDE DRIVE FROM R-2, LOW-MEDIUM DENSITY, SINGLE-FAMILY RESIDENTIAL TO R-4, MEDIUM-HIGH DENSITY, MULTI-FAMILY RESIDENTIAL (CONDITIONAL).

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNCHBURG that in order to promote the public necessity, convenience, general welfare, and good zoning practice that 35.1 of the Code of the City of Lynchburg, 1981, as amended, be and the same is hereby further amended by adding thereto Section 35.1-76.\_\_\_\_, which section shall read as follows:

Section 35.1-76.\_\_\_\_. Change of 2009 Lakeside Drive from R-2, Low-Medium Density, Single-Family Residential to R-4, Medium-High Density, Multi-Family Residential (Conditional).

The area embraced within the following boundaries . . .

Beginning at a point on the northeastern corner of the southern right-of-way of Lakeside Drive also known as Rte. 221; thence leaving said southern right-of-way of Lakeside Drive S 31° 17' 08" E 950.14' to a point; thence S 52° 08' 52" W 112.00' to a point; thence N 40° 51' 08" W 336.30' to a point being a common corner to the property of Dr. George J. Orr; thence N 41° 51' 08" W 151.50' to a point; thence N 23° 42' 08" W 220.22' to a point; thence N 59° 30' 08" W 79.60' to a point; thence N 30° 05' 08" W 238.00' to a point on the northwestern corner of the southern right-of-way of Lakeside Drive; thence along said southern right-of-way of Lakeside Drive N 68° 01' 52" E 103.40' to a point; thence N 74° 16' 52" E 100.00' to the point of beginning containing 3.867 acres.

. . . is hereby changed from R-2, Low-Medium Density, Single-Family Residential to R-4, Medium-High Density, Multi-Family Residential (Conditional), subject to the conditions set out hereinbelow which were voluntarily proffered in writing by the owner, namely: DSZ Properties, LLC, to wit:

1. The subject property shall be developed as townhouses as shown on the rezoning plan, received by the Planning Division on April 28, 2006.
2. A vegetative evergreen buffer and chain link fence between the development and the adjacent Lynchburg College property shall be provided.
3. The petitioner will use the sewer line route shown on the rezoning plan, received by the Planning Division on April 28, 2006.
4. The petitioner shall use bio-filters for water quality if sufficient room exists on the site for their installation; otherwise, stormwater quality will be addressed through a combination of above ground best management practices and mechanical stormwater filters subject to the approval of the City's Environmental Planner.
5. The developer agrees to abide by the proposed Landscaping Ordinance for its current structure.

And the Director of Community Planning and Development shall forthwith cause the Official Land Use Map and the "Official Zoning Map of Lynchburg, Virginia," referred to in Section 35.1-4 of this chapter to be amended in accordance therewith.

Adopted:

Certified:

\_\_\_\_\_  
Clerk of Council

**The Department of Community Planning & Development**  
**City Hall, Lynchburg, VA 24504** **434-455-3900**

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**To:** Planning Commission  
**From:** Planning Division  
**Date:** May 10, 2006  
**Re:** **REZONING: R-2, Low-Medium Density Residential District, to R-4C, Medium-High Density Residential District (Conditional), for three and eighty-seven hundredths (3.87) acres of property at 2009 Lakeside Drive, also known as Valuation Numbers 228-09-001 and 229-03-002.**

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**I. PETITIONER**

DSZ Properties, LLC, 3717 Old Forest Road, Lynchburg, VA 24501

**Representative:** D. Scott Zechini, DSZ Properties, LLC, 3717 Old Forest Road, Lynchburg, VA 24501

**II. LOCATION**

The subject properties include a tract of about two and seventy-nine hundredths (2.79) acres and a tract of about one and eight hundredths (1.08) acres, respectively. The total three and eighty seven hundredths (3.87) acres are located at 2009 Lakeside Drive, also known as Valuation Numbers 228-09-001 and 229-03-002.

**Property Owner:** Fred & Alice Clements, 837 VES Road, Lynchburg, VA 24503

**III. PURPOSE**

The purpose of this petition is to allow construction of thirty-six (36) townhouses (for sale) with associated parking.

**IV. SUMMARY**

- Petition agrees with the Comprehensive Plan which recommends Medium Density Residential land use in this area.
- Petition agrees with the Zoning Ordinance in that townhouses are allowed in an R-4, Medium-High Density Multi-Family Residential.
- Petition proposes the construction of a thirty-six (36) unit townhouse complex with associated parking.

**The Planning Division recommends approval of the rezoning petition.**

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**V. FINDINGS OF FACT**

1. **Comprehensive Plan.** The Lynchburg *Comprehensive Plan* recommends both an Office use and a Medium Density Residential use in this area. Office uses are intended for small-scale office buildings with floor plans not exceeding twenty thousand (20,000) square feet and buildings not exceeding four stories. Medium Density Residential uses are characterized by small-lot single family detached housing, duplexes and townhouses at densities up to twelve (12) units per acre. The project will have a density of approximately ten and seventy-five hundredths (10.75) units per acre.  
  
The Future Land Use Map [FLUM] is not intended to be parcel specific. The FLUM also indicates Low Density Residential, High Density Residential, Neighborhood Commercial and Institutional Uses in the immediate area. Given existing zoning and adjacent land use patterns, the proposed townhouses are suitable for the property.
2. **Zoning.** The subject property was annexed into the City in 1976. The existing R-2, Low- Medium Density Single Family Residential zoning was established in 1978 with the adoption of the *Zoning Ordinance*.
3. **Board of Zoning Appeals (BZA).** On April 25<sup>th</sup>, 2006, the Board of Zoning Appeals granted the reduction of the fifty foot (50) perimeter setback to twenty-five (25) feet. The Board approved the

variance five to zero (5-0) with the stipulation that a six foot tall chain link fence be erected along the property line.

4. **Proffers.** The petitioner voluntarily submitted the following proffer(s) with the rezoning application:
  - 1) The subject property shall be developed as townhouses as shown on the rezoning plan, received by the Planning Division on April 28, 2006.
  - 2) A vegetative evergreen buffer and chain link fence between the development and the adjacent Lynchburg College property shall be provided.
  - 3) The petitioner will use the sewer line route shown on the rezoning plan, received by the Planning Division on April 28, 2006.
  - 4) The petitioner shall use bio-filters for water quality if sufficient room exists on the site for their installation; otherwise, stormwater quality will be addressed through a combination of above ground best management practices and mechanical stormwater filters subject to the approval of the City's Environmental Planner.
5. **Surrounding Area.** There have been several items requiring City Council approval in the immediate area:
  - 9/8/1998: City Council approved Otis and Jean Brent's petition to rezone approximately one and two tenths (1.2) acres at 2108 Lakeside Drive from B-5C, General Business District (Conditional), to B-5C, General Business District (Conditional), to amend a previously approved proffer to allow the use of an existing building for office and retail use.
  - 7/8/1997: City Council approved The Salvation Army's petition to rezone approximately one and one tenth (1.1) acres at 2108 Lakeside Drive from I-2, Light Industrial District, to B-5C, General Business District (Conditional), to allow construction and use of a thrift store.
  - 5/14/1996: City Council approved Robert Kerr's petition to rezone approximately seventy-five hundredths (0.75) of an acre from I-2, Light Industrial District, to B-5C, General Business District (Conditional), to allow construction of a building for auto parts sales and commercial uses.
  - 6/11/1991: City Council approved James Mitchel's petition to rezone approximately one and six tenths (1.6) acres at 2022 Lakeside Drive from B-5C, General Business District (Conditional), to B-5C, General Business District (Conditional), to amend a previously approved proffer to allow general equipment rental, sales, service and outside storage.
  - 11/8/1988: City Council approved Farris and Iseman's CUP petition for the expansion of a mobile home park at 2134 Lakeside Drive.
  - 4/12/1988: City Council approved Don Gay's petition to rezone approximately two tenths (0.2) of an acre at 2018 Lakeside Drive from B-3, Community Business District, to B-5C, General Business District (Conditional), to allow the operation of an automobile sales and rental business in an existing structure.
  - 10/14/1986: City Council approved Lynchburg College's CUP petition to construct three athletic practice fields, a parking area, restrooms and a storage facility at 1701 Lakeside Drive.
  - 6/10/1986: City Council approved Knight Gallery LTD's CUP petition to construct a building and parking lot addition at 2034 Lakeside Drive.
6. **Site Description.** The subject property is bounded to the north by single-family homes, to the east by Lynchburg College, and to the south and west by a combination of commercial properties and multi-family apartment units.
7. **Proposed Use of Property.** The purpose of the rezoning is to allow construction of a thirty-six (36) unit townhouse complex with associated parking. Building materials for the single-family attached homes will be vinyl and brick; each unit will be three stories (see attached photo) and have a front loaded garage. In addition, the petitioner will add landscaping at the entrance to the site, shade trees within the

parking area and foundation plantings around the new units. Sidewalks are provided to all common areas.

The petitioner proposes to provide an evergreen buffer and chain link fence between the development and the adjacent Lynchburg College property. Also at the request of the college, the developer has agreed to a different route for extending the proposed sewer line to the property. The alternate route is shown on the proposed rezoning plan and will limit the removal of trees on the adjacent property.

8. **Traffic and Parking.** The City's Traffic Engineer noted that the project produces less than the minimal number of trips for a traffic study; therefore, a study is not needed. He did request that a note be placed on the plan stating that the sight obstructions (trees, shrubs, etc.) will be removed at the connection with the driveway and Lakeside Drive. The statement was added to the plan as note number eighteen (18).

Parking requirements for the proposed development are set at two and a half (2.5) spaces per unit by the City's Zoning Ordinance; the proposed thirty-five (36) townhouses require ninety (90) parking spaces. The site plan indicates that the site will have thirty-six (36) parking spaces available within each unit's garage, thirty-six (36) parking spaces (outside of the required front yard setback) on each individual unit's driveway and twenty-two (22) parking spaces in the parking lot. A total of ninety-four (94) spaces will be provided for the townhouses, thus meeting the requirement of City Code.

9. **Storm Water Management.** New impervious areas will exceed one thousand (1,000) square feet; as such, a stormwater management plan will be required for the construction. The increase in post-development runoff conditions due to the new impervious area will be managed through the use of an above-ground stormwater detention facility. The pond will be located outside of the limits of the one hundred (100) year floodplain at the rear of the site. A preliminary drainage review indicates that the receiving channel is adequate for the site's stormwater from the proposed pond.

Lynchburg College requested that the petitioner consider the use of bio-filters like the college used on some of the projects on their campus to minimize the environmental impacts to College Lake. The petitioner has agreed to try to use the bio-filters if enough room exists on the site for their installation; otherwise, stormwater quality will be addressed through a combination of vegetated swales and mechanical stormwater filters. The proposed development will ultimately be held to the same water quality standards as Lynchburg College, and all other developments within the City.

10. **Emergency Services.** The City's Fire Marshal required that an emergency vehicle turn-around be provided for the proposed townhouse development. Two such turn-arounds are shown on the rezoning plan and the features are acceptable to the Fire Marshal.

The City Police Department had no comments on the proposed townhouse development.

11. **Impact.** The development of the thirty-six (36) unit townhouse complex, including the associated parking, will have limited impacts on the surrounding neighborhoods. The design and layout of the buildings are acceptable to the Planning Division.

The petitioner has met with Lynchburg College and agreed to install a six foot tall chain link fence adjacent to the college property; an evergreen buffer will also be planted along the fence line. Also, at the request of the college, the developer has agreed to a different route for extending the proposed sewer line to the property. The alternative route is shown on the proposed rezoning plan and will limit the removal of trees on the adjacent property.

New impervious areas will exceed one thousand (1,000) square feet; as such, a stormwater management plan will be required for the construction. The increase in post-development runoff conditions due to the new impervious area will be managed through the use of an above-ground stormwater detention facility. The petitioner will not encroach on the limits of the one hundred (100) year floodplain with construction of the facility.

Lynchburg College also requested that the petitioner consider the use of bio-filters to minimize the environmental impacts to College Lake as it uses on some of the projects on their campus. The petitioner has agreed to try to use the bio-filters if enough room exists on the site for their installation. The bio-filters would allow for easier overall maintenance of the stormwater quality features. If sufficient area does not exist to allow for the bio-filters, stormwater quality will be addressed through a

combination of vegetated swales and mechanical stormwater filters. The proposed development will ultimately be held to the same water quality standards as all developments within the City of Lynchburg.

12. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed the preliminary site plan on April 18, 2006. Comments related to the proposed use were minor in nature and have or will be addressed by the developer prior to final site plan approval.

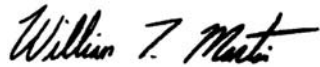
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## **VI. PLANNING DIVISION RECOMMENDATION**

**That the Planning Commission waives the twenty-one (21) day submittal requirements for proffers.**

**Based on the preceding Findings of Fact, the Planning Commission recommends to City Council approval of DSZ Properties LLC's petition to rezone approximately three and eighty-seven hundredths (3.87) acres of property at 2009 Lakeside Drive, also known as Valuation Numbers 228-09-001 and 229-03-002, from R-2, Low-Medium Density Single-Family Residential District, to R-4, Medium-High Density Multi-Family Residential District, to allow for the construction of a thirty-six (36) unit townhouse complex and associated parking.**

This matter is respectfully offered for your consideration.



William T. Martin, AICP  
City Planner

pc: Mr. L. Kimball Payne, III, City Manager  
Mr. Walter C. Erwin, City Attorney  
Mr. J. Lee Newland, Director of Engineering  
Capt. Michael L. Thomas, Fire Marshal  
Lt. Danny R. Marks, Lynchburg Police Department Field Operations Bureau  
Capt. Todd Swisher, Lynchburg Police Department North Division  
Capt. J.P. Stokes, Lynchburg Police Department East Division  
Capt. Al Thomas, Lynchburg Police Department South Division  
Mr. Gerry L. Harter, Traffic Engineer  
Mr. Robert Drane, Building Commissioner  
Mr. Keith Wright, Zoning Official  
Mr. Robert S. Fowler, Zoning Administrator  
Mrs. Erin B. Hawkins, Environmental Planner  
Mr. D. Scott Zechini, DSZ Properties, LLC  
Mr. Mike Nichols, Hurt & Proffitt, Inc.

## **VII. ATTACHMENTS**

- 1. Vicinity Zoning Pattern**  
(see attached map)
- 2. Vicinity Proposed Land Use**  
(see attached map)
- 3. Site Plan**  
(see attached site plans)

- 4. Project Narrative and Photo**  
(see attached narrative)
- 5. Proffers**  
(see attached)
- 6. Letter from Lynchburg College**  
(see attached)



## MINUTES FROM THE MAY 10, 2006 PLANNING COMMISSION MEETING

Petition of DSZ Properties, LC to rezone approximately 3.87 acres at 2009 Lakeside Drive from R-2, Single-Family to R-4, Multi-Family Residential District to allow the construction of 36 townhouse units.

Mr. Martin explained that the petitioner proposed the construction of thirty-six (36) townhomes with associated parking adjacent to property owned by Lynchburg College. He said the project was in compliance with the Future Land Use Map (FLUM), which recommended medium-density usage. He explained further that medium-density usage was characterized by single-family homes, duplexes and townhouses with densities of up to twelve (12) units per acre. Mr. Martin said the submitted plan indicated a density of 10.75 units per acre, so they were within that range. He added that the Board of Zoning Appeals (BZA) granted a variance for reduction in the required fifty (50) foot perimeter setback to a twenty-five (25) foot width, with the condition that a six-foot tall chain link fence be erected along the property line. He said the Planning Commission would have to approve a motion to waive the 21-day submittal requirements for proffers in order for the petition to proceed. Mr. Martin noted that the Planning Division did recommend approval of the rezoning petition with the proffers submitted.

Mr. Earl Dickerson and Mr. Michael Nichols, both with Hurt & Proffitt (H&P), 2524 Langhorne Road, represented the petitioner, DSZ Properties, LLC, and noted that Scott Zechini, the petitioner, was also in attendance at this meeting. Mr. Dickerson said that this site was made up of two parcels for a total of three and eighty-seven hundredths (3.87) of an acre. He noted that the chain link fence would be constructed along the rear property line including a vegetative evergreen buffer. He said on April 6 they held a meeting with the neighborhood within two hundred (200) feet of the site. Mr. Dickerson said seven neighbors attended the meeting with questions and comments that H&P addressed for them. He added that they would utilize Best Management Practices for stormwater management and noted that once construction began there would be a permanent pond built to clean up the stormwater that would drain into College Lake. Mr. Dickerson explained that according to the City's Ordinance, ninety (90) parking spaces were required for the thirty-six (36) townhomes, and there would be ninety-four (94) spaces available. He said each townhome had its own garage in the lower level with a driveway leading up to the garage for additional parking. He said there would be public water through a line in the middle of the parking lot, and that the City's landscape requirements would be met.

Chair Hamilton asked about the chain-link fence.

Mr. Dickerson said Lynchburg College requested the chain link fence. He added that they had a ropes course in the area and asked that the fence be put up to keep the two groups separated.

Commissioner Barnes said the new Landscape Ordinance had not been approved yet, but encouraged the petitioner to preserve as many trees as possible. He said that he assumed that the site would have to be clear-cut and graded, and added that this project would be a good applicant for permeable pavement since this driveway would not be used for commercial traffic.

Mr. Dickerson said they would be able to save the trees along the lower part of the property line as well as part of the trees along another edge. He added that depending on the grading and because these units would have basements, there was a possibility that some of the trees in the rear yard area could be saved, but he did not know how many that would be.

Commissioner Worthington asked why not plant trees in the small grass islands between the driveway and sidewalks.

Mr. Dickerson said he did not disagree with Commissioner Worthington, but it was the choice of the developer.

Mr. Martin said the current Landscape Ordinance required five (5) percent of the parking area to be landscaped. He added that the new Ordinance would require one (1) tree per every eight (8) parking spaces with no more than fifteen (15) to twenty (20) spaces between the islands. He said the petitioner could voluntarily submit a proffer stating he would plant more trees, but it was up to him.

Mr. Dickerson asked how the Landscape Ordinance would apply to this request.

Mr. Martin said there would be a buffer along the rear of the property line with a double row of trees, shrubs in between, and foundation plantings only where visible from the street. He commented that since there was nothing visible from the street, there would be no need for foundation plantings.

Mr. Nichols said they recommended to the developer to landscape as close to the plan as possible.

Mr. Dickerson said satisfying the new Landscape Plan would be no problem and that they would put the proffer in writing.

After discussion, Commissioner Worthington made the following motion, which was seconded by Commissioner Barnes and passed by the following vote:

"That the Planning Commission waives the twenty-one (21) day submittal requirements for proffers."

AYES:	Barnes, Hamilton, Sale, Worthington	4
NOES:		0
ABSTENTIONS:	Flint	1
ABSTEN:	Bacon, Oglesby	2

After discussion, Commissioner Worthington made the following motion, which was seconded by Commissioner Barnes and passed by the following vote:

"That the Planning Commission recommends to City Council approval of DSZ Properties LLC's petition to rezone approximately three and eighty-seven hundredths (3.87) acres of property at 2009 Lakeside Drive, also known as Valuation Numbers 228-09-001 and 229-03-002, from R-2, Low-Medium Density Single-Family Residential District, to R-4, Medium-High Density Multi-Family Residential District, to allow for the construction of a thirty-six (36) unit townhouse complex and associated parking."

AYES:	Barnes, Hamilton, Sale, Worthington	4
NOES:		0
ABSTENTIONS:	Flint	1
ABSTEN:	Bacon, Oglesby	2

DSZ PROPERTIES

2009 Lakeside Drive

Map # 228-09-001, 229-03-002

Rezoning from R-2 to R-4

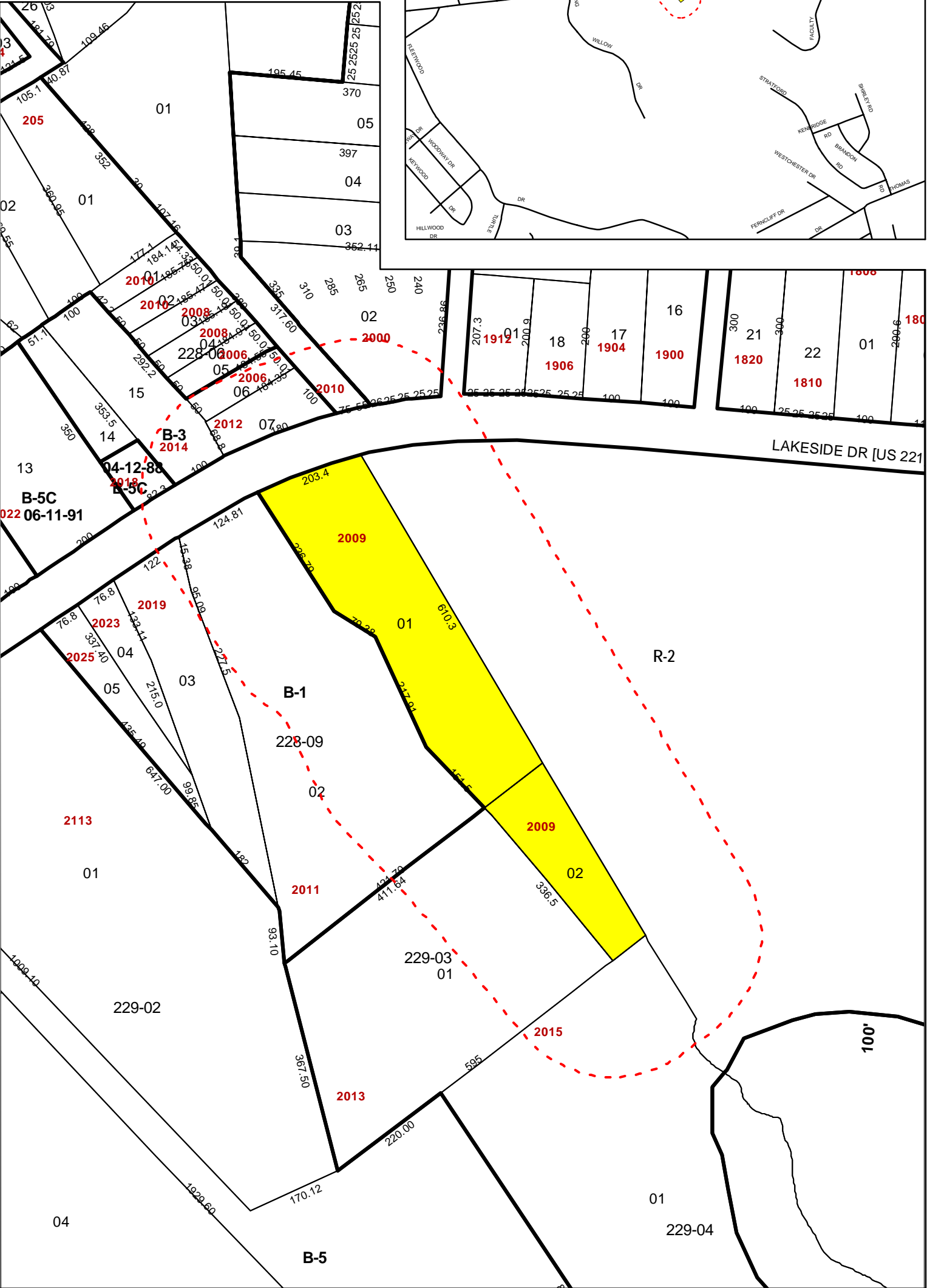
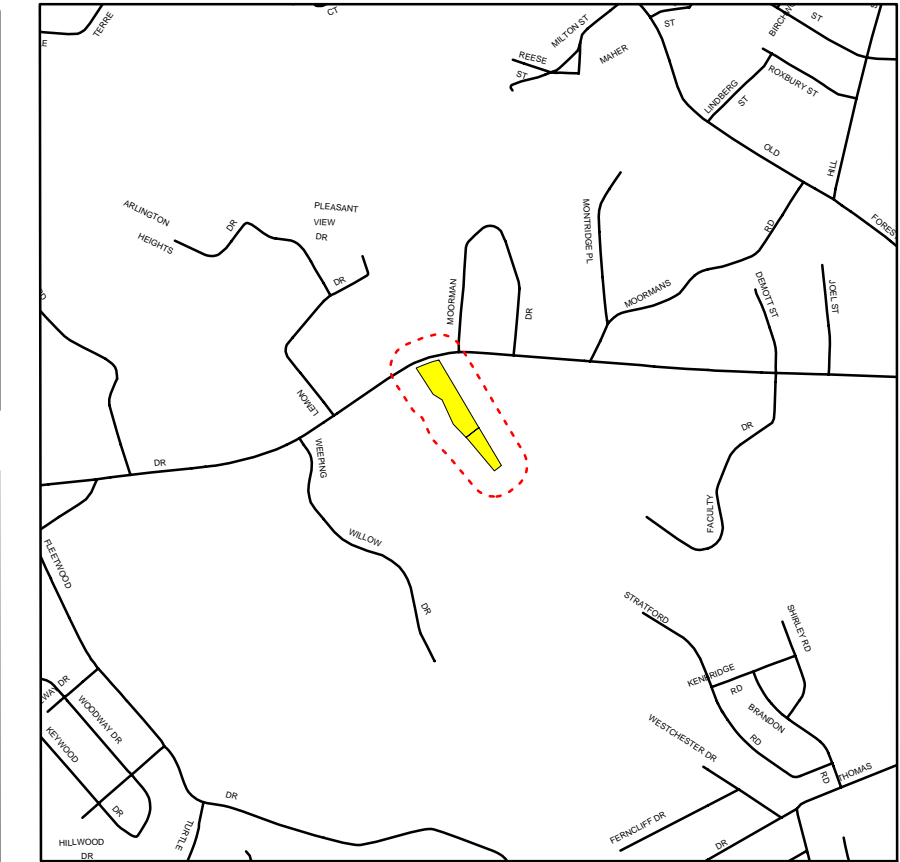
Petitioner: D. Scott Zechini

MAP PREPARED BY

THE DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT

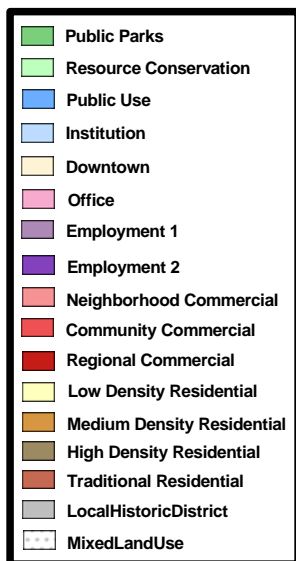
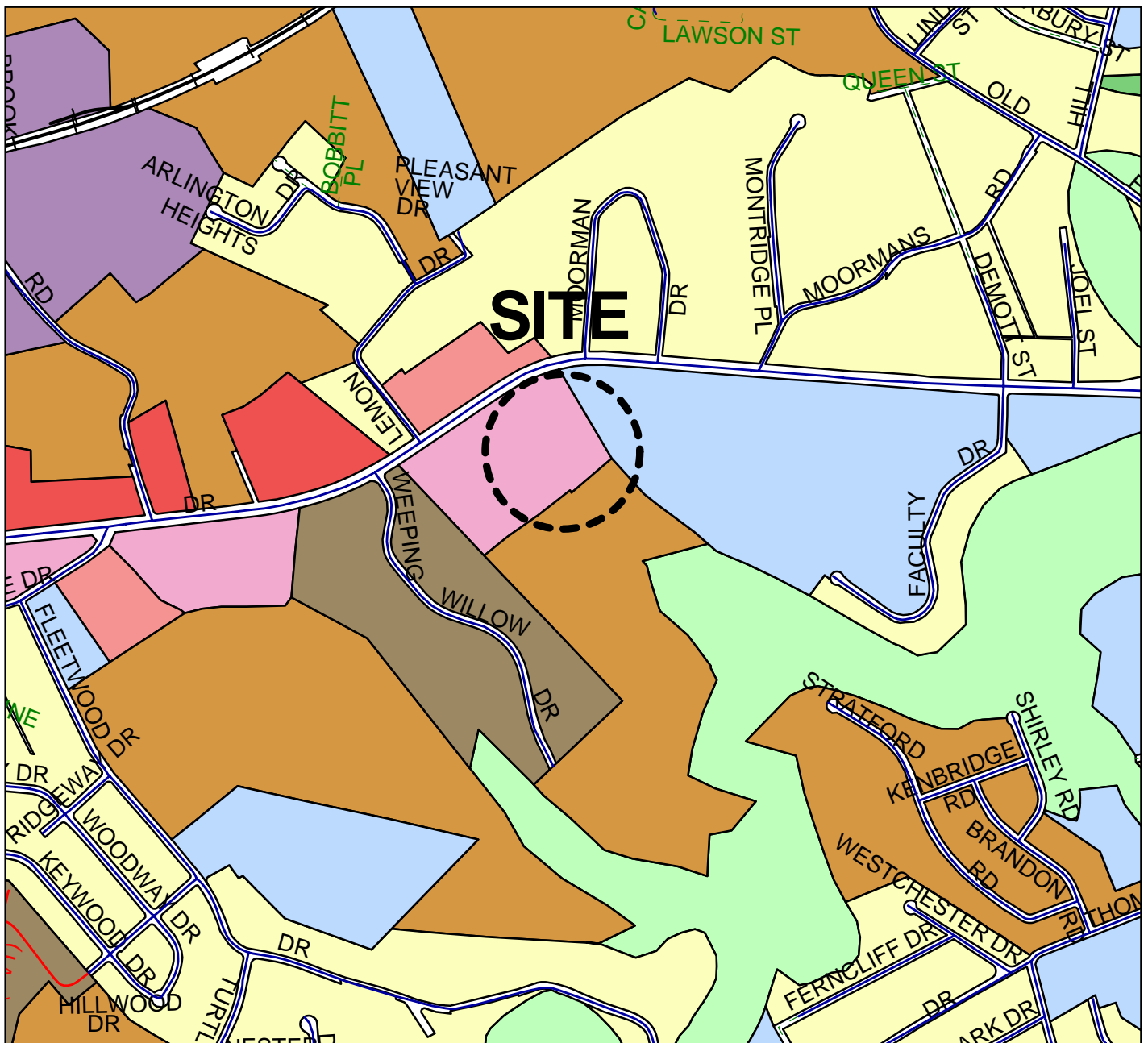
Subject Property

200 ft Radius



DSZ PROPERTIES  
2009 LAKESIDE DRIVE

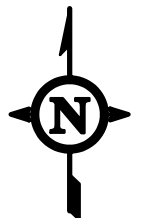
PIN	OWNER
22806007	CANDLER ELIZABETH W & GRAY MATTHEW W - CUSTODIANS
22809001	CLEMENTS FRED A & ALICE J
22805014	HARMAN RONNIE F
22904001	JAMERSON ELLEN P
22903001	LACY AUBREY R & NANCY H
16501001	LYNCHBURG COLLEGE
16502001	N B PROPERTIES & DEVELOPMENT INC
22809002	ORR DR GEORGE J & JO ANN
16502002	OSBORNE EDWARD L TRUSTEE & OSBORNE MALVIE D TRUSTEE
22809003	TOMLINSON ALICE M. LIFE EST
22806006	TURLINGTON J KEITH
22805015	WOOD NANCY H



# DSZ PROPERTIES

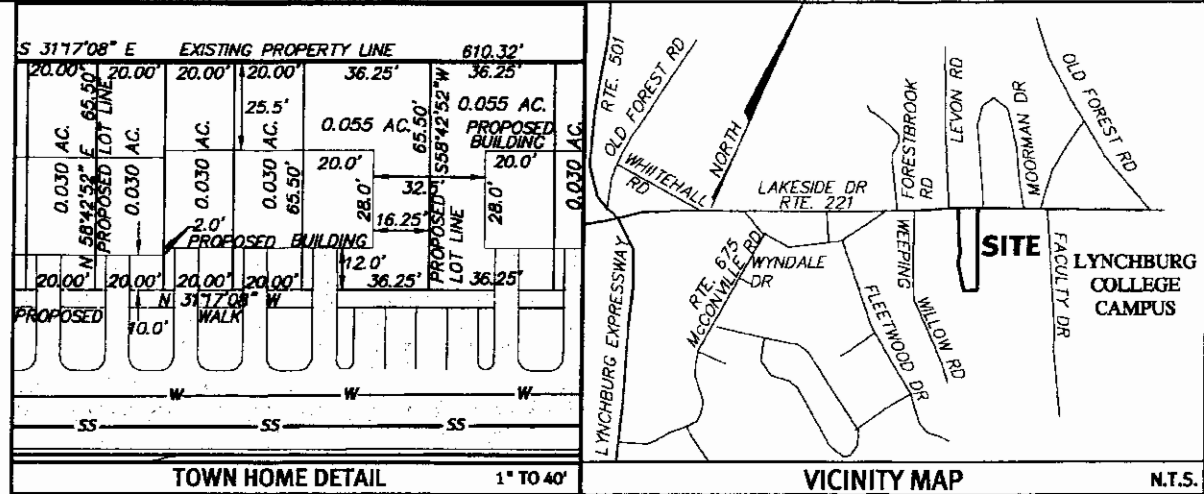
## #2009 LAKESIDE DRIVE

## LAND USE PLAN



# NOTES:

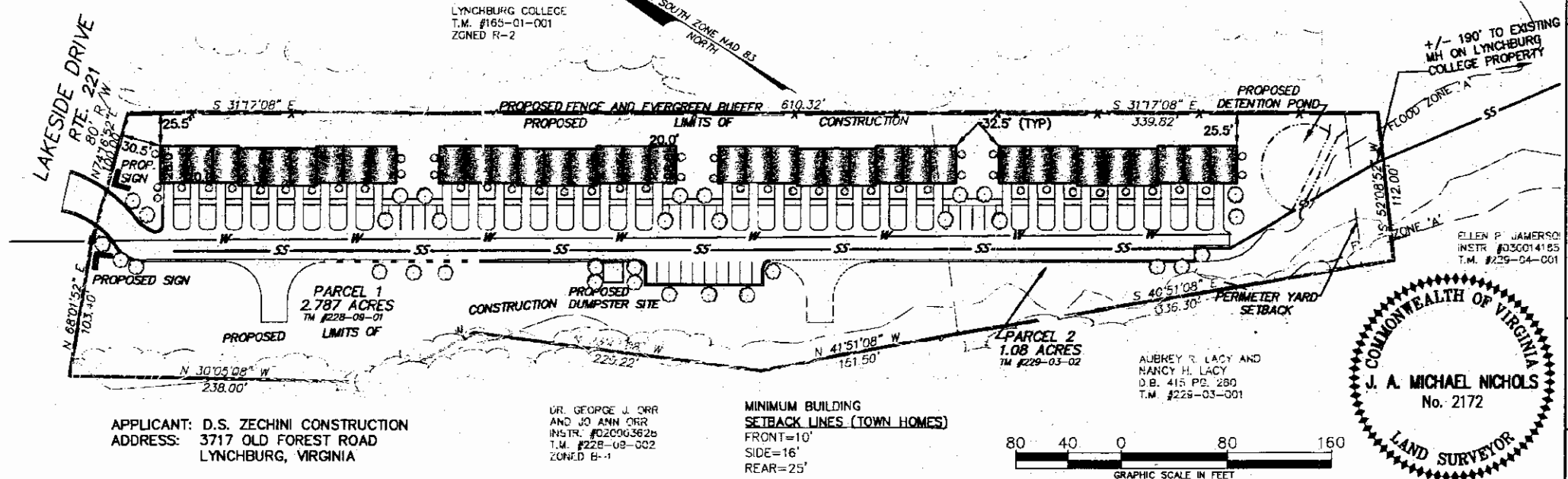
1. SUBJECT PARCELS ARE CURRENTLY ZONED R-2 AND IT IS REQUESTED THAT SUBJECT PARCELS BE REZONED TO R-4 FOR PROPOSED CONSTRUCTION OF MULTI FAMILY TOWNHOMES.
2. LANDSCAPE BUFFER: A 4' HIGH LANDSCAPE BUFFER IS REQUIRED IN THE REAR YARD ADJOINING LYNCHBURG COLLEGE TO SHIELD THE NEIGHBORING RESIDENTIAL ZONE. EVERGREEN TREES SHALL BE PLANTED AT REQUIRED INTERVALS IN ORDER TO OBTAIN THIS BUFFER. AT THE REQUEST OF LYNCHBURG COLLEGE, A 6' HIGH GREEN VINYL CHAINLINK FENCE SHALL BE CONSTRUCTED ALONG THE REAR YARD ADJOINING LYNCHBURG COLLEGE IN ADDITION TO THE EVERGREEN TREES.
3. THIS SITE SHALL INCLUDE THE CONSTRUCTION OF 36 UNITS.
4. ALL PARKING SPACES TO BE 9' x 18' WITH 24' DRIVE AISLE (FOR MINIMUM OF 90 SPACES).
5. REQUIRED PARKING CALCULATIONS IS 2.5 SPACES PER EVERY 1 UNIT. THIS SITE WILL HAVE 36 FRONT LOAD GARAGE PARKING SPACES, 36 PARKING SPACES ON THE DRIVEWAYS, AND 22 PARKING SPACES ON STRIPED LINES. THIS SITE WILL HAVE A TOTAL OF 94 PARKING SPACES. THE PARKING SPACE IN THE DRIVEWAY OF EACH UNIT SHALL HAVE A MINIMUM SETBACK OF 10' FROM THE FRONT OF THE BUILDING.
6. A PORTION OF THE AREA SHOWN AS A DASHED LINE AND SHADED IN GRAY AS SHOWN HEREON IS LOCATED IN FLOOD HAZARD ZONE 'A' FOR A 100 YEAR FLOOD AS DETERMINED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY AS SHOWN ON COMMUNITY-PANEL MAP #510093-0010-B DATED SEPTEMBER 1, 1978. NO PROPOSED EXCAVATION TO FILL FOR PROPOSED BUILDINGS OR PARKING SHALL OCCUR IN FLOOD HAZARD ZONE 'A'.
7. PROPERTY LINES SHOWN HEREON ARE FROM RECORD INFORMATION AND HAVE ONLY BEEN TIED DOWN IN THE FIELD ADEQUATELY ENOUGH TO USE FOR GENERAL INFORMATION PURPOSES ONLY. NO BOUNDARY SURVEY HAS BEEN PERFORMED AT THIS TIME.
8. VERTICAL CONTROL FOR THIS PROJECT IS BASED ON NAVD 29 WHICH WAS ESTABLISHED BY GLOBAL POSITIONING SYSTEMS.
9. THIS SURVEY WAS PREPARED AT THE REQUEST OF D.S. ZECHINI CONSTRUCTION.
10. CURRENT ADDRESS OF SUBJECT PARCEL 1 IS 2009 LAKESIDE DRIVE.
11. ALL OPEN AREA AND COMMON AREA ARE TO BE OWNED AND MAINTAINED BY THE HOME OWNERS ASSOCIATION.
12. THE COMMON AREA ENCOMPASSES ALL THE PRIVATE ROADS AND ALL PARCELS WILL BE SERVED BY PUBLIC RIGHTS OF WAY OR PRIVATE ROADS.
13. CERTAIN PUBLIC UTILITIES WILL BE LOCATED IN COMMON AREAS AND OPEN AREAS IN LOCATIONS AS DETERMINED BY THE DEVELOPER/OWNER AND INDIVIDUAL UTILITY COMPANIES.
14. PROPERTY WILL BE SERVED BY WATER AND SEWER FROM THE CITY OF LYNCHBURG.
15. SHADED AREA DENOTES PROPOSED PAVEMENT AREA.



16. SET BACKS FOR PERIMETER YARDS STATE EACH TOWNHOUSE DEVELOPMENT SHALL HAVE A PERIMETER YARD ON THE REAR AND SIDE PROPERTY LINES OF THE TOTAL SITE EQUAL TO AT LEAST TWENTY-FIVE FEET, WHICH MAY INCLUDE THE REQUIRED SIDE AND REAR YARDS FOR EACH TOWNHOUSE, EXCEPT WHERE THE DEVELOPMENT IS WITHIN OR ABUTS A SINGLE-FAMILY DISTRICT, IN WHICH CASE THE PERIMETER YARD SHALL BE AT LEAST FIFTY FEET. HOWEVER, THE DEVELOPER HAS BEEN GRANTED A VARIANCE PER A BOARD OF ZONING APPEALS MEETING ON APRIL 25, 2006 TO ALLOW A 25' SIDE PERIMETER SETBACK LINE DUE TO TOPOGRAPHY AND LOT CONFIGURATION.
17. EXTERIOR LIGHTING SHALL BE CONTROLLED SO THAT DIRECT ILLUMINATION WILL NOT OCCUR BEYOND ANY PROPERTY LINE. ALL EXTERIOR LIGHTING WILL BE GLARE-SHIELDED AND NON-DIRECTIONAL.
18. SIGHT OBSTRUCTER (TREES, SHRUBS, ETC. SHALL BE REMOVED AT THE CONNECTION WITH THE PROPOSED ENTRANCE DRIVEWAY AND LAKESIDE DRIVE IN ORDER TO MAINTAIN THE REQUIRED SITE DISTANCE.
19. NO BUILDING WILL BE ERECTED HIGHER THAN 40' AS PER CONTRACTOR.
20. ALL LOTS SHALL HAVE AN AREA EQUAL TO OR GREATER THAN 1200 SQ. FT.
21. THE INTERIOR DASHED PROPERTY LINE BETWEEN PARCELS 1 AND 2 SHALL BE VACATED.

## LEGEND

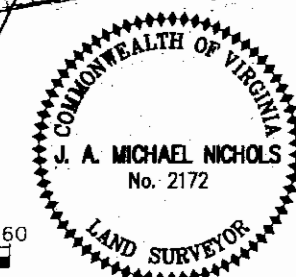
- PROPOSED TREE
- FIRE HYDRANT
- EDGE OF PAVEMENT
- CREEK
- EDGE OF WOODS
- PROPOSED PRIVATE UG SAN. SEWER LINE
- WATER VALVE
- PROPOSED PRIVATE UG WATER LINE
- PROPOSED CONCRETE
- PROPOSED EMERGENCY VEHICLE TURNAROUND



## REZONING PLAN

**FOR PARCEL 1 AND PARCEL 2**  
**OWNER: FRED A. CLEMENTS AND ALICE J. CLEMENTS**  
**CITY OF LYNCHBURG, VIRGINIA**

**HURT**  
**PROFFITT**  
**INCORPORATED**  
 2324 LANGHORNE ROAD  
 LYNCHBURG VA 24501  
 800.282.6906 TOLL FREE  
 434.847.7796 MAIN  
 434.847.0047 FAX





LYNCHBURG  
COLLEGE EST. 1903

Office of the President

April 20, 2006

Ms. Melva Walker  
Acting Administrator  
Community Planning and Development  
City Hall, 900 Church Street  
Lynchburg, VA 24504

Re: Proposed Townhouse Development at 2009 Lakeside Drive

Dear Ms. Walker:

Lynchburg College is in receipt of the official notice from the City as an adjoining property owner regarding the proposed development at 2009 Lakeside Drive. Representatives of Lynchburg College attended an information session provided earlier this month at the offices of Hurt & Proffitt. At that time, our representatives met with Mr. Scott Zechini, the developer, and Earl Dickerson with Hurt & Proffitt. As a result of this meeting we would like to make the following three requests:

- 1) We noted how close the proposed development would be to a secluded part of our campus where we have a "Ropes" course located. In order to protect the "Ropes" course from potential damage or vandalism by the individuals living in the townhouses, we suggested that the developer install a six-foot chain link fence along the property line. They indicated that this would be agreeable to them.
- 2) We also noted that there was a proposed sewer line easement that would come across the College's property to service the development. The proposed route would require the removal of an extensive number of trees. Our request would be that a different route be used for the easement so as not to remove unnecessary trees.
- 3) We also noticed that a detention pond was proposed. We are concerned about the potential environmental impact on College Lake. In developments on campus we have used bio-filters to minimize any environmental impact and would request the same level of environmental protection in this development as well.

While we would be happy to be present at the Board of Zoning Appeals hearing, we request that this letter be read into the minutes as part of the record of the meeting. Please let us know if our presence is needed for the hearing.

Thank you for your consideration of these matters.

Sincerely,

Kenneth R. Garren  
President

JCL/ch

cc: Mitch Wesolowski, Vice President for Business and Finance  
John C. Lewis, Business Manager

RECEIVED

MAY 01 2006

COMMUNITY PLANNING  
& DEVELOPMENT

**DSZ Properties, LC  
3717 Old Forest Road  
Lynchburg, VA 24501  
(434) 385-1391**

May 8, 2006

City of Lynchburg  
Planning Commission

RE: Clements Property Rezoning from R2 to R4

To Whom It May Concern:

In regards to the proposed town home development on the Clements Property rezoning request. We are proffering the following items:

- 1) The subject property shall be developed as townhouses as shown on the rezoning plan, received by the Planning Division on April 28, 2006.
- 2) A vegetative evergreen buffer and chain link fence between the development and the adjacent Lynchburg College property shall be provided.
- 3) We will use the sewer line route shown on the rezoning plan, received by the Planning Division on April 28, 2006.
- 4) We will use bio-filters for water quality if sufficient room exists on the site for their installation; otherwise, stormwater quality will be addressed through a combination of above ground best management practices and mechanical stormwater filters subject to the approval of the City's Environmental Planner.

Sincerely,



D. Scott Zechini

#5) DEVELOPER AGREES TO  
ABIDE BY THE PROPOSED  
LANDSCAPE ORDINANCE ~~AS PER~~  
IT'S ~~OWNERS~~ ~~THE~~ ~~PROPOSER~~

**RECEIVED**

**MAY 08 2006**

**COMMUNITY PLANNING  
& DEVELOPMENT**



# DSZ PROPERTIES

May 10, 2006

**PLEASE PRINT**

NAME	ADDRESS	PHONE #	IN FAVOR	IN OPPOSITION	NEUTRAL
Mike Nichols	2524 Langhorne	(434) 849-7796	✓		
Earl Dickerson	"	"	✓		